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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,505	10/30/2003	Yasuo Takebe	61352-046	5764
<div>7590 04/14/2010 MCDERMOTT, WILL &amp; EMERY 600 13th Street, N.W. Washington, DC 20005-3096</div>			<div>EXAMINER ALEJANDRO, RAYMOND</div>	
			<div>ART UNIT 1795</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE 04/14/2010</div>	<div>DELIVERY MODE PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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Mailed : **APR 14 2010**

In re Application of  
Takebe et al.

Serial No. 10/696,505

Filed: October 30, 2003

For: METHOD OF OPERATING FUEL CELL SYSTEM AND  
FUEL CELL SYSTEM

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:  
: **DECISION ON**  
: **PETITION**  
:

This is a decision on Appellants' Petition under 37 CFR 1.181 to request that the Notice of Non-Compliant Appeal Brief dated March 1, 2010 be withdrawn. The Examiner considered the Brief filed on January 6, 2010 to be defective because the Brief does not contain a concise explanation of each independent claim which refers to the specification by page and line number.

The Appeal Brief filed on January 6, 2010 is considered compliant.

**DECISION**

The petition is **GRANTED**.

The Examiner is directed to allow the application to proceed in the appeal process and to have the Notice of Non-Compliance withdrawn.

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